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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF REAL ESTATE APPRAISERS

IN THE MATTER OF THE
SUSPENSION OR REVOCATION OF
THE LICENSE OR CERTIFICATION
OF

JACOBUS J. VOLLENBERG,
RA381700

TO PRACTICE AS A REAL ESTATE
APPRAISER IN THE STATE
OF NEW JERSEY

Administrative Action

WITHDRAWAL OF
PROVISIONAL AND FINAL
ORDERS OF DISCIPLINE



This matter was opened to the New Jersey State Board of Real Estate Appraisers ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a real estate appraiser in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On March 10, 2006, pursuant to N.J.S.A. 45:1-18, the Board initiated a random audit of a group of its licensees, asking them to submit proof with regard to the

satisfaction of continuing education requirements for the 2004-2005 renewal period, i.e., twenty eight (28) approved credit hours; or for those licensed and certified in the first six months of 2005, fourteen (14) credit hours.

3. Respondent was among those appraisers asked to submit proof of satisfaction of continuing education requirements.

4. A letter dated March 10, 2006 was issued to respondent, asking for proof of satisfaction of continuing education requirements. The letter was sent by regular mail to respondent's address of record at 1018 Big Ridge, East Stroudsburg, PA. No response was received. The mailing was not returned.

5. A second communication dated April 20, 2006 was sent to respondent at his address of record by certified mail. Certified mail was returned unclaimed. No response was received.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation pursuant to N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 29, 2006, suspending respondent's license until he replied to the Board's previous request for information and imposing a civil penalty in the amount of \$1,000.00 for respondent's violation of N.J.A.C. 13:45C-1.2, -1.3. A copy of the Order was forwarded to respondent by certified and regular mail at his address of record of 1018 Big Ridge, East Stroudsburg, PA 18301-7944 on July 17, 2006. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th

business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the certified mail was returned unclaimed, regular mail was not returned. Because the Order was forwarded to respondent's address of record, the Board deemed service to have been effected. Accordingly, it determined that further proceedings were not necessary and that the Provisional Order should be made final. On September 12, 2006, a Final Order of Discipline was entered, suspending respondent's license to engage in real estate appraising until he furnished a response to the Board's request for information, and imposing a civil penalty of \$1,000.00.

On October 2, 2007, the Board received a communication from respondent indicating that he had only then become aware of his suspension. He explained that he had moved from his former address of record two years earlier, and that he had filed notice of his new address with the Board which apparently was not acted upon by the staff. Respondent requested reinstatement, and submitted proof of having timely completed his continuing education requirements for 2004-2005. The Board reviewed respondent's request, and determined that respondent had not intentionally failed to cooperate with the Board's continuing education audit, inasmuch as the dates of respondent's course certificates demonstrate that he had no reason to seek to evade the audit. The Board thus further determined that the Provisional Order of Discipline

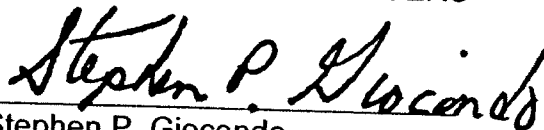
filed on June 29, 2006, and the Final Order of Discipline filed on September 12, 2006 were to be withdrawn, and no penalties imposed upon respondent.

ACCORDINGLY, IT IS on this 11th day of October, 2007,

ORDERED that:

1. The Provisional Order of Discipline filed against respondent on June 29, 2006, and the Final Order of Discipline filed on September 12, 2006 are hereby rescinded.
2. Any penalties imposed by the above-referenced Orders are deemed to be rescinded, and are not to be considered as having been imposed nor as a valid part of respondent's disciplinary history with the Board.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS



Stephen P. Giocondo
President